



# MONTANA FISH AND WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

THE **OUTSIDE** IS IN US ALL.

**Meeting Date:** December 10, 2020

**Agenda Item:** Fishing Access Site/Wildlife Management Area Draft Biennial Rule

**Action Needed:** Final

**Time Needed on Agenda for this Presentation:** 5 minutes

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**Background:** The Fish & Wildlife Commission Commercial Use Permit Fee Rule sets the permit fees for commercial use occurring at fishing access sites, fish conservation areas, wildlife management areas, and FWP administrative sites. Changes were last made to the fee rule in 2017 and were specific to photographers and film crews.

**Public Involvement Process & Results:** The Fish and Wildlife Commission approved the draft rule for public comment at their October 22 meeting. Public comment was accepted from October 27 to November 27. Three comments were received. Two commenters opposed commercial use fees altogether, and one of these thought it was wrong for the state to be charging to use public property. The other commenter expressed general support for fees with the desire to see the money received being used for maintenance and to secure additional access sites.

**Alternatives and Analysis:** The commission could choose to propose the fee schedule as recommended by the department or propose changes of their own. If the proposed rules are chosen, it will mean that fees will remain unchanged. Any changes made by the commission would be without direction from the public since none of the comments addressed specific fees (other than to do away with all of them).

**Agency Recommendation & Rationale:** FWP recommends that the commission adopt the rule as proposed without changes. The changes made in 2017 have worked well without complaints from permittees, and the department recommends they remain unchanged for now, pending further discussions with FAS commercial users and an evaluation of administrative costs. The department does not endorse the idea of removing all fees as this is the only mechanism by which FWP currently can get permittees to help pay for maintenance costs associated with for-profit activities.

**Proposed Motion:** I move that the commission adopt the commercial use fee rule as recommended by the department.